

**REMARKS**

Claims 1 and 2 currently appear in this application. The Office Action of March 29, 2006, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

**Abstract of the Disclosure**

The Abstract of the Disclosure is objected to because it does not meet the requirement of the MPEP for U.S. applications.

Submitted herewith on a separate sheet is a new Abstract of the Disclosure which is not in a run-on sentence.

**Disclosure**

The disclosure is objected to because the information regarding the parent case must be updated.

The present amendment updates the status of the parent application, noting that it has been abandoned.

**Rejections under 35 U.S.C. 112**

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly

point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed. Claims 3-8 have been cancelled, and claims 1 and 2 have been amended to more clearly define the invention for which patent protection is sought.

Claim 1 has been amended to define as method for inhibiting the decrease of active-oxygen-eliminating activity of alpha-glucosyl hesperidin, catechin, or a mixture of both, in a beverage containing one or both of these compounds. Support for "beverage" can be found in paragraph 0022, wherein "beverages such as vegetable juices, fruit juices, and carbonated beverages" are recited. Further more, Experiment 4 at paragraphs 0034-0036 discloses that active-oxygen-eliminating activities of alpha-glucosyl hesperidin and catechin are preserved in 45 w/v% trehalose solution. It is believed that Experiment 4 supports the amendment to claim 1.

Claim 2 has been amended to delete the reference to drying, because claim 1 has been amended to recite beverages.

#### Art Rejections

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Mandai et al. '513.

This rejection is respectfully traversed. Claim 1 has been amended to recite a method for inhibiting the

decrease of active-oxygen-eliminating activity of alpha-glucosyl hesperidin and/or catechin in a beverage containing one or both of these compounds. In contrast thereto, Mandai et al. only disclose foods in a solid, in particular powder, form. There is nothing in Mandai et al. that discloses or suggests a method of treating a beverage.

Moreover, it is noted that the Examiner refers to the "Maillard reaction." The "Maillard reaction" is caused by the co-presence of a reducing substance which has an aldehyde group and a substance having amino groups. A non-reducing saccharide, such as trehalose, cannot cause the Maillard reaction even in the presence of a substance containing amino groups, because trehalose has no aldehyde group.

Claims 1-6 of Quadrant Bio are said to anticipate the instant claimed invention.

This rejection is respectfully traversed. Quadrant Bio only discloses foods in solid form, particularly, in powder form. There is nothing Quadrant Bio that even suggests a method for treating a beverage.

Claims 5-9 of Kabushiki EP 0 600 730 are said to anticipate the herein claimed invention.

This rejection is respectfully traversed. EP 0 600 730 discloses the use of anhydrous trehalose as a desiccant. Since the instant claims are now directed to inhibiting the

decrease of active-oxygen-eliminating activity in a beverage, it is respectfully submitted that EP 0 600 730 has nothing to do with the presently claimed invention.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mandai et al. '513 in view of Cardona '309 and Quadrant Bio.

This rejection is respectfully traversed. As noted above, there is nothing in either Mandai nor Quadrant Bio that discloses or suggests a method for treating a beverage in liquid form—only for treating solid or powdered food products.

It is respectfully submitted that Cardona relates to a medicinal antioxidant, and discloses preventing autooxidation of catecholamines in foods by treating with trehalose. This is not at all the same as inhibiting the decrease of active-oxygen-eliminating activity of alpha-glucosyl hesperidin and/or catechin in a beverage containing at least one of these compounds. Catechin is a polyphenolic flavonoid present in a variety of plant sources, including tea leaves, grape seeds, and the wood and bark of trees such as acacia and mahogany. The empirical formula of catechin is  $C_{15}H_{14}O_6$ . Catecholamines, on the other hand, are chemical compounds derived from tyrosine, and include an amino group in the compound. They are clearly different from catechin, and therefore, it is respectfully submitted, that

Appln. No. 10/670,525  
Amd. dated June 22, 2006  
Reply to Office Action of March 29, 2006

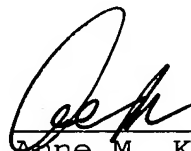
Cardona has nothing at all to do with the presently claimed method.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

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